Remarks

Claims 1, 3, 5, 6, 8, 15, 16, and 18 – 21, and 23 are pending and reconsideration of those claims is requested.

Claims 1 and 6 has been amended to incorporated the subject matter of allowable claim 4 and are allowable.

Claims 20 and 21 now feature operation of a light bar switch which was contained in cancelled claim 22. Use of a single ultra high frequency signal is now also recited and that feature was contained in claims 2 and 7. Since now cancelled claim 22 depended from claim 6 and the rejections of independent claims 6, 20 and 21 were treated the same, no new issues are raised by these amendment.

Claim 20 features a method of communicating a warning signal by mounting a transmitter, a switch for actuation of the emergency motor vehicle light bar , and a receiver to an emergency motor vehicle. A digital signal of a single high frequency signal is output at periodic intervals and is detectable within a distance range in response to actuation of the light bar switch. The transmitter is turned off during periodic intervals so that the receiver in the emergency vehicle can directly respond to signals from other, emergency vehicles emitting the digital signal that are within the distance range. An additional receiver is mounted in a private or commercial motor vehicle that responds to the digital signal from the transmitter of a transmitting emergency vehicle to detect the digital signal. A visual warning is displayed from a visual indicator mounted to a motor vehicle (emergency or other) in response to a receiver receiving a digital signal from the transmitter to warn a motorist and/or an other emergency vehicle of a presence of the transmitting emergency vehicle within the transmitting range.

Comments regarding the two references to Coon (2003/0141990) and Rootsey et al (US 5,995,804) clearly illustrate the hindsight nature of the Examiner's rejection. The Coon reference illustrates an embodiment wherein the emergency vehicle 11 communicates directly with the vehicle 14. See page 3, column 1, paragraph 31. However, the Coon disclosure states "the problem of multiple EV's broadcasting in the same area is solved by frequency sharing, using multiple frequencies, or the like." As stated earlier in the prosecution using multiple frequencies

is not feasible and the nebulous reference to "frequency sharing" neither shows nor suggests the applicants use of a single ultra high frequency signal that is periodically turned off to convey a digital signal between an emergency vehicle and a remote receiver.

Turning to the '804 patent to Rootsey et al, the examiner stresses the teaching at column 4 line 57 of periodic shut down of a transmitter to detect "the presence of other radiating FM stations in the area of the vehicle 32." If Rootsey et al does detect another transmitter, it suspends transmitter operation. Rootsey et al propose nothing more than a collision detection scheme, but importantly such a scheme would have the effect of stopping transmission until the offending or interfering transmitter stops its transmission. Rootsey et al thereby defeats the entire point of allowing multiple transmitters to operate in a zone simultaneously and more importantly disables the various multiple emergency vehicles from sensing each others presence. Stated another way, once one transmitter of the Rootsey system transmits it is the only emergency vehicle that can make its presence known. Other vehicles will not transmit and hence will not be observed. Other vehicles might respond to the first emergency vehicle warning but no one including that first transmitting vehicle will find out about other vehicles. The first transmitting vehicle is operating without the information it needs to detect any other vehicles transmitting in the area and this is a serious safety breach.

Examining Rootsey et al further, one see that the decision to broadcast by an emergency vehicle is not based on the actuation of the vehicle light bar, but instead based on another vehicle's transmit status and the presence of a remote signal. The Rootsey et al system initiates a transmission, not in response to a light bar switch but upon receipt of a remote signal. Incredibly, the vehicle only responds to the remote signal if no other emergency vehicle is transmitting in the area. This is simply not workable and highlights the fact the Examiner has striven to find all the elements recited in the claims without regard to their compatibility or suitability with the teachings of other patents with which the reference is combined.

Claim 20 is clearly allowable.

Claim 21 features a receiver in the emergency vehicle that is turned off during transmission output intervals of the transmitter so the emergency vehicle receiver can monitor

signals originating from other emergency vehicles. This feature is neither shown nor suggested by the Examiner's citation of Rootsey et al and Coon and this claim is also allowable.

.All other claims depend on either claim 20 or claim 21 and are also allowable.

Entry of the amendments to the claims raises no new issues and simplifies the issues on appeal. However, it is believed careful consideration of applicant's comments will cause the Examiner to allow all pending claims. A prompt notice of allowance is solicited.

The Commissioner is hereby authorized to charge any required fee under 37 C.F.R. §1.17 in connection with this Information Disclosure Statement to our Deposit Account No. 20-0900.

Respectfully submitted,

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